

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Liberty Utilities (CalPeco Electric) LLC (U933E) for Approval to Construct a Battery Energy Storage System in Alpine County, California.

Application 17-11-014

ORDER EXTENDING STATUTORY DEADLINE**Summary**

This decision extends the statutory deadline in this proceeding to November 23, 2019.

1. Background

Public Utilities Code (Pub. Util. Code) Section 1701.5(a) provides that the Commission shall resolve the issues raised in the scoping memo of a ratesetting proceeding, within 18 months of the date the proceeding is initiated, unless the Commission makes a written determination that the deadline cannot be met, and issues an order extending the deadline. In this proceeding, the 18-month statutory deadline for resolving this application is May 23, 2019.

On November 21, 2017, Liberty Utilities (CalPeco Electric) LLC (Liberty Utilities), filed its application to construct a Battery Energy Storage System in Alpine County. On January 2, 2018, the Office of Ratepayer Advocates filed a protest to the application. On April 4, 2018, a Prehearing Conference was held to discuss the issues of law and fact, to determine the need for hearing, and to set the procedural schedule of the proceeding.

On June 13, 2018, the Assigned Commissioner issued the Scoping Memo and Ruling. At the request of Liberty Utilities, on August 28, 2018, the assigned Administrative Law Judge (ALJ) issued a ruling granting the modification of the schedule. On February 5, 2019, a ruling was issued directing parties to file motion for evidentiary hearing no later than February 12, 2019.

Liberty Utilities requested hearings, and it is likely the assigned ALJ will grant the request.

Therefore, an extension of the statutory deadline until November 23, 2019, is appropriate to allow sufficient time to hold evidentiary hearings, to issue a proposed decision for public review and comments, and for the Commission to deliberate and issue its final decision.

2. Waiver of Comment Period

Under Rule 14.6(c)(4) of the Commission's Rules of Practice and Procedure, the Commission may reduce or waive the period for public review and comment of proposed decisions extending the deadline for resolving ratesetting proceedings. Accordingly, the otherwise applicable period for public review and comment is being waived.

3. Assignment of Proceeding

Martha Guzman Aceves is the assigned Commissioner and Brian Stevens is the assigned ALJ in this proceeding.

Findings of Fact

1. The application was filed by Liberty Utilities on November 21, 2017.
2. A Prehearing Conference was held on April 4, 2018.
3. On June 13, 2018, the scoping memo was issued.
4. The statutory deadline for resolving the issues identified in the scoping memo is May 23, 2019.

5. On August 28, 2018, the schedule of the proceeding was modified at the request of Liberty Utilities.

6. On February 5, 2019, a ruling was issued directing parties to file motion for evidentiary hearing, no later than February 12, 2019.

7. An extension of the statutory deadline to November 23, 2019, is necessary.

Conclusion of Law

Pursuant to the authority granted to the Commission under Pub. Util. Code § 1701.5(a), the statutory deadline should be extended to November 23, 2019.

IT IS ORDERED that the statutory deadline in this proceeding is extended until November 23, 2019.

This order is effective today.

Dated _____, at Oxnard, California.